

COUNTY OF SUFFOLK



STEVEN BELLONE
SUFFOLK COUNTY EXECUTIVE

DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
DIVISION OF PLANNING AND ENVIRONMENT

SUFFOLK COUNTY FARMLAND COMMITTEE

NATALIE WRIGHT
COMMISSIONER

SARAH LANSDALE
CHAIRPERSON, SCFC

VERBATIM MINUTES OF THE SUFFOLK COUNTY FARMLAND COMMITTEE 5:30 P.M. – Zoom Meeting

DATE: November 19, 2020

MEMBERS PRESENT:

David Barnes (Smithtown)
Vincent Biondo (Babylon)
Ronald Bush (At-Large)
Lawrence Foglia (Huntington)
Lee Foster (Southampton)
Alfred J. Kilb, Jr. (Shelter Island)
Hon. Al Krupski (SC Legislature)
Sarah Lansdale (SC Director of Planning/Chair)
Dale D. Moyer (At-Large)
Eugene Murphy (Islip)
August Ruckdeschel (SC Dept. of EDP)
Charles Scheer Jr. (At-Large)
Herb Strobel (At-Large)
Mark Zaweski, (At-Large)

MEMBERS ABSENT:

Alex Balsam (East Hampton)
Nate Corwin (At-Large)
Robert Nolan (Brookhaven)
Jeff Rottkamp, Sr. (Riverhead)
Albert Schmitt (At-Large)

ADVISORS PRESENT:

Rob Carpenter, Long Island Farm Bureau

Corey Humphrey, SC Soil and Water Conservation District

COUNTY STAFF PRESENT:

Andrew Amakawa, Senior Planner, SC Division of Planning and Environment
(Committee Staff)

Jennifer Kohn, Sr. Assistant County Attorney, SC Dept. of Law

Lauren Allegue, Planning Aide, SC Division of Planning and Environment
(Committee Staff)

VERBATIM TRANSCRIPT

CALL TO ORDER BY SARAH LANSDALE, CHAIR – 5:30 P.M.

Sarah Lansdale: Welcome everyone to the November 19th Farmland Committee Meeting, 2020. Lauren can you do a roll call?

Lauren Allegue: Sure.

(Roll Call by Lauren Allegue, Planning Aide)

Alex Balsam: (No response)

David Barnes: Yes, here.

Vincent Biondo: Here.

Lauren Allegue: I see you.

Ronald Bush: Here.

Nate Corwin: (No response)

Lee Foster: Here.

Lawrence Foglia: Here.

Alfred Kilb: (No response)

Leg. Al Krupski: Here.

Sarah Lansdale: Here.

Dale Moyer: Here.

Eugene Murphy: Here.

Bob Nolan: (No response)

Jeff Rottkamp: (No response)

Augie Ruckdeschel: Here.

Charlie Scheer: Here.

Albert Schmitt: (No response)

Herb Strobel: Here.

Mark Zaweski: (No response)

Lauren Allegue: 12.

Sarah Lansdale: Fantastic. I want to note for the record we have a quorum and we followed the New York State guidance on Open Meetings Law during a pandemic that was issued by Executive Order through the New York State Governor's Office. Note, we do have a quorum and we will get started at this time. I want to welcome Larry Foglia. He is our new representative to the Committee representing the Town of Huntington. Welcome Larry.

Larry Foglia: Thank you.

Sarah Lansdale: This is not your first meeting, but your first meeting as a member. Would you like to say a few words?

Larry Foglia: Well relative to my participating, first I'd like to say I'm honored to be in this group that is dedicated to preserving farming and farms and improving farming and farms on Long Island. I am honored.

We started farming in Nassau County in the fifty's growing chrysanthemums for the cut flower market and then moved into hollies and trees and then, eventually moved to another nursery in Huntington, where we grew plants in the ground. After graduate school, where I got a degree in Natural Resource Management and Environmental Education, I stayed in horticulture and managed Martin Viette Nursery and developed my own perennial nursery. I actually sold containerized perennials to Half Hollow Nursery before they started growing their own, and eventually morphed into a 100-member CSA growing organic vegetables before we sold it as an estate settlement to the Elijah Foundation. And you just preserved that farmland PDR on some of my land and Elijah Farm. But, during that time, I put my

graduate degree to work working with The Peconic Land Trust, the Nassau Land Trust, the North Shore Land Alliance on farmland preservation and farmland restoration. And I'm currently working on a 250-acre PDR in Delaware County on two historic dairy farms that will become a healing center, working with the Watershed Agricultural Council, New York City Watershed Agricultural Council. So, I've had a lot of hats and I'm very happy to be semi-retired and participating in this Committee.

Sarah Lansdale: Well, welcome aboard, welcome aboard.

Larry Foglia: Thank you.

Sarah Lansdale: Sure. Now, let's see. Augie, do we have any general correspondence?

Augie Ruckdeschel: Not that I know of. Andrew, can you confirm?

Andrew Amakawa: We do not.

Sarah Lansdale: Okay. Moving on to the Section II: Tabled Permit Applications. Any update on Brandywine Trust? It's been on our agenda for quite some time.

Augie Ruckdeschel: I'm not aware of any. I think Jenny, I'm not sure if Bob is here to update anything?

Jenny Kohn: Yes, I'm here. There's not really any updates. There was a conference, but the conference was adjourned and so the parties are still trying to settle this matter.

Sarah Lansdale: Okay, sounds good. Larry, we can brief you.

Lee Foster: The only thing I can add is that it is working very well as a hole.

Sarah Lansdale: Lee, do you want to give, for Larry's benefit, just a synopsis of this or should I? Larry, would you like care to know more about Brandywine?

Larry Foglia: If I need to or if I can read it someplace, I won't take up Committee time with it, but..

Sarah Lansdale: Yeah, so I'll send you some background on that. So, I'm going to move on to the next item on the agenda, which is Site Inspections and Violations. Andrew, do you want to provide an overview?

Andrew Amakawa: Okay, so there's actually three items tonight. Staff is going to be splitting it up, so the first one was the Osborne Property. I think Augie has that one.

August Ruckdeschel: Sure.

Andrew Amakawa: Do you want to share your screen?

Mark Zaweski: Hello.

August Ruckdeschel: Yeah, I'll share my screen. Someone just joined us though.

Mark Zaweski: Mark Zaweski just got on.

August Ruckdeschel: Welcome Mark.

Sarah Lansdale: Hi Mark. Welcome. We're on Item 3 of the agenda.

Mark Zaweski: Alright.

Augie Ruckdeschel: Alright, so, so we sent – this is somewhat old news, but back in July, we sent a Cease and Desist for the property located at 141 Long Lane. After an aerial inspection and a site inspection conducted onsite, there, you know, very clearly appears to be a kind-of personal driving range. This is the Google Earth version of what's going on there. I think it's been there for some time. Candidly, if you look at old aerials, it's been there for a while, but switching back so we can see the delineation of where it is in our program, it is kind of, (Looking at map) It's this, so you can see it is kind of crossing over there. So, we did send them a Cease and Desist that said, you know, this is not the type of activities that is allowed and it needs to be brought back to into agricultural production, as it is surrounding it. But, I think there also was kind of seen like kind of a ball washer had been installed, tee-off area and that sort of thing. Again, that's not consistent with our program. I think I did see that the Osbornes, who we sent the letter to, I think they might be here represented. I'm not sure. I would invite them to make any additional comments or - yes? If you would identify yourself and then speak on it.

Sarah Osborne: Sarah Osborne.

Nathan Osborne: and Nathan Osborne.

Sarah Osborne: My brother, Nathan. Yeah, so we inherited that land from our father, back in 98, and pretty much Jack Whitmore had been renting it. I mean he's been renting it for 30 years, so 20?

Nathan Osborne: 22 years or something like that.

Sarah Osborne: Anyway, a long time. We never really questioned what Jack did on it, we just assumed he was following the rules cause that's what the lease said, and then you made us aware that he had, I thought he had put it on the residential house lot cause I mean, well once again, I didn't really look. Neither one of us did, so, anyway, but he is supposed to fix it. His lawyer's actually supposed to be on this call. They were actually notified the same time you notified us.

I'm here. I'm here.

Augie Ruckdeschel: Yes, I saw someone raise their hand and if the attorney would like to please identify yourself.

Alexandra Storch: Alexandra Storch for Whitmore's, 4 Hardscrabble Court, East Hampton. Good evening Chairwoman Lansdale and members of the Board. I had an opportunity to speak with Miss Lansdale earlier today, who was kind enough to send me the documents that pertain to this property. Up until this point, I haven't had an opportunity to review the documents that you all have had access to, so I'd like to respectfully request an adjournment just until your next meeting, so that I can review the documents with Mr. Whitmore and try to present a proposal that everyone can be happy with.

Sarah Lansdale: Questions from the Committee?

Herb Strobel: Sarah this is Herb. May I ask a few questions?

Sarah Osborne: Yeah, go ahead.

Herb Strobel: Or Augie. I just want to understand the relationships that are involved here vis-à-vis the property. So, my understanding is that the property owners are the Osbornes, is that correct?

Nathan and Sarah Osborne: Yes, that's correct.

Herb Strobel: And that they are leasing and have leased the land for quite some time to Whitmore's Nursery. Is that correct?

Nathan and Sarah Osborne: Yes, correct.

Herb Strobel: So then again, Sarah, I guess this is directed at you. In terms of the responsibility for what's done on the property, it's ultimately, the land owner's responsibility. Is that correct?

Sarah Osborne: Oh, I know, I know exactly whose it is and I'm...

Herb Strobel: I'm sorry Sarah. I apologize, there's two Sarah's on that I didn't even recognize that. No, I wasn't trying to accuse you. I'm asking Sarah, Miss Lansdale, so Miss Lansdale, in terms of the program itself, ultimately, it's the landowner's responsibility to make sure that the property is complying with the regulations and whatever covenants and deed restrictions might exist.

Sarah Lansdale: That's right.

Herb Strobel: Okay, I just wanted to make sure. So then in terms of any, and may be this is an offline conversation, but in terms of any quote "remediation proposal" that the Committee may or may not see, that would come from the landowner?

Sarah Lansdale: Yes, in the past, that's what we've have requested on other items. We've requested that the property owner, not the lessee submit the application. Our next meeting would be sometime in January. We'd request, you know, if it's moved to the next meeting, that would be in January, we'd request that application be presented to us in a timely manner.

August Ruckdeschel: There's no application here Sarah. I mean, we're asking them to come into conformance. It's not like an application, like a special event or building a structure.

Sarah Lansdale: I understand that.

Sarah Osborne: You just want it put back in trees.

Sarah Lansdale: Right.

Nathan Osborne: Well directly it will be. It's not the time to go planting trees.

Sarah Osborne: Yeah, we can't go in there and tear it up now.

Leg. Al Krupski: You know what I think, Director Lansdale:

Sarah Lansdale: Yes, Legislator?

Leg. Al Krupski: I think to Herb's point, and Herb you still had another question, right?

Herb Strobel: No, no, basically, I just wanted to see what the chain of responsibility was; and if a remediation plan was going to be forwarded to the County, who would be doing that and you know, I just want to make sure that that's on the record, because again, not to say that in this particular situation we're going to be talking about this in five years. I hope we aren't, but at the same time, we've had other situations where we've had, it's been dragged out for a variety of reasons, and I just want to make sure that whatever is happening with this particular situation is done in an expedient fashion as reasonably possible.

Leg. Al Krupski: So, we're looking for a remediation plan in January that would lay out a timeline for the remediation. That would have a specific timeline. Yes, of course you can't tear it apart in the winter, but come spring it'll be, this is the plan.

Sarah Lansdale: That's right.

Leg. Al Krupski: Dog leg left.

Ron Bush: I have a question. Is this part of David Osborne's property or Lawrence Osborne's property?

Nathan Osborne: It was originally. David has passed on in September.

Sarah Osborne: Our father passed away.

Ron Bush: Oh, that's your father. Okay.

Sarah Osborne: Yes.

Lawrence Foglia: I have a question out of curiosity and process. How did this come to your attention?

Sarah Osborne: Through you guys.

Nathan Osborne: Through the letter we got from...

Lawrence Foglia: I'm asking the County I guess. How did it come to the County's attention that this existed? Was it normal stewardship investigation or?

Sarah Lansdale: Augie, do you want to...

August Ruckdeschel: So, there's generally two paths that we would kind of learn about these things: 1- it could be flagged for our attention, but 2- what we did more recently, and my staff, Lauren, is going to speak later, we actually did an aerial analysis to start looking at what could potentially be violations that warrant further investigations and further site visits. There are some (inaudible) do further site visits to PDR properties when time allows, and we're hoping to accelerate some of those efforts. But, yeah, there could be onsite site inspections and that's when it's brought to our attention or it could be again, through something like Lauren did over the summer, which is painstakingly look at all the aerials and say, hey, here's one that we need to further investigate and put some eyeballs on the actual location.

Lawrence Foglia: Right, I understand. Thank you.

Sarah Lansdale: Any other questions at this time? Is there any interest in making a motion to – do we need a motion, Jenny?

August Ruckdeschel: We don't need a motion. These are just kind of updates, Sarah, for all three of them, but we wanted to invite all the landowners and the lessees to come and address and to give updates on some of these, you know, violations, and that's what we're going to continue to do so, but there's no action needed at this point. But, again, I think the recommendations made that Sarah you made, that Leg. Krupski made, that Herb Strobel made, that you know, please come to us in January with kind of a remediation strategy and plan that would be very helpful.

Alfred Kilb joined the meeting.

Sarah Lansdale: Can we just, I'm sorry Augie to interrupt you, can we set a clear timeline on when they should send us a plan just so that we have some milestones and that we don't (inaudible) before the meeting?

August Ruckdeschel: Yeah, sure. Andrew, remind me. We're planning the next meeting January 21st, so maybe by the beginning of the year, by January 1st, so that will give us some time to review and we could solicit input from Farmland Committee members. Does that sound okay?

Andrew Amakawa: Right, so typically, we would ask a month ahead of the next scheduled Committee meeting, so I think a month ahead would probably be around December -

August Ruckdeschel: It would be December 24th. I'd have to double-check that.

Nathan Osborne: Christmas Eve?

August Ruckdeschel: Well, there's no rule that says you have to wait until then, you could submit something before then.

Eugene Murphy: Christmas could come early.

August Ruckdeschel: Christmas Eve or New Year's Eve.

Sarah Lansdale: So, if we could expect something from you by December 24th that would be most helpful so that we could make sure that there's adequate time for the Committee to review, deliberate and have a plan of action.

Nathan Osborne: I'll reach out to Jack and set up a meeting with him and see what we can set up and some kind of timeline for you guys.

Sarah Lansdale: Okay, thank you so much for coming tonight.

Sarah Osborne: No problem. Thanks.

August Ruckdeschel: Have a good night.

Sarah Osborne: You, too.

Sarah Lansdale: Okay, next item?

Andrew Amakawa: Okay, the next item is a Brightwaters Update and Lauren is going to present on that.

Lauren Allegue: Okay, I'm going to have to share my screen. Okay, can everyone see that? Alright, great. So I'm going to go through a series of slides that show the photos that we took at the last Brightwaters site inspection on October 7th. So we started from the southeastern portion of the property.

August Ruckdeschel: Hold on Lauren. Lauren, just one second.

Lauren Allegue: Sure.

August Ruckdeschel: I just want to mention who attended this site visit. So real quick, it was me, it was Lauren, it was Andrew, so three of us from the Division of Planning staff, and then Corey Humphrey also joined us from Soil and Water, Herb Strobel from the Farmland Committee and also Gene Murphy from

the Farmland Committee.

Lauren Allegue: Thanks Augie. (Slide show) Okay, yeah, so we started from the southeastern portion and I have some comparison photos so you can see the progress that's been made from the last site inspection that we went to in June. So here's a view looking southwest and you can see that the tires and rims have been removed and it looks a little bit more clear. In the background you can see the big pile that looks smaller and you can also see the power screener conveyor belt right here is still there. Okay, this is the pile, we're looking south right now, and the conveyor belt. And here's another comparison photo from June to October. You can see in the back here, these piles are almost completely gone – I mean they're not visible in this photo. So they've gotten much smaller or are completely gone now and you can see the tub grinders everything is still in the same spot pretty much. This is just a closer up look at the power screener and the conveyor belt. Now, we're looking west here, a closer up view with the piles. This is looking more south. Okay, so here's a really good shot where you can see how much has been cleared out in terms of the size of the piles. We're looking still west at the same view of the tub grinder. This is looking back southeast towards the same power screener. Okay this pile has gotten a lot smaller as well, this pile of mixed materials right next to this excavated area that's filled with water. You can see how much smaller it's gotten from June to October. And this is just looking at the central portion of the property. We'll get closer up later on. And again, this is looking a little bit more north toward the central area of the property and even more west. I'm sorry, east here. That's the fence that is the border between the PDR property and the non-PDR property. This is just a close-up shot of the material in the pile, and this is looking back southeast at the cement structures. It's been cleared out since last time. This is pretty much the same. And here, these are two different viewpoints. In October, you can see that the storage container has been removed. That's why I have that other shot in there, to see the comparison, but there are still some, there's a dumpster there, there's still some metal pieces, some, I can't tell if they're telephone posts, some wooden poles, and some materials there still. Okay, we're looking at a couple of excavators and some other machines lined up there in the southern portion of the property.

Okay, now we're moving more southwest area a little farther down. This is a closer-up of the same tub grinder, some piles. This is looking back east at the same pile. There's a lot less piles and they're much smaller. So here, in the October view, even though we're a little bit closer up, you can see the big pile of tree trunks have been removed, so that's no longer there and also this pile has been removed, even though you can't see it in the photo, but it is no longer there. This is looking back east.

Now, we're going to be moving to the central part of the property. We're going to be looking at the greenhouse areas. So, to the left of the greenhouse, there was a bunch of pallets and machinery and materials there, but you can see, it's been all cleared out. We're going to be looking into the greenhouses now. The first greenhouse to the left, it's been mostly cleared out.

Alfred Kilb: It looks like there's a lot of crushed concrete in the floor of that one building with the machinery in it and going into the other building. This is Alfred Kilb.

August Ruckdeschel: Yeah, that is still there. That's correct.

Alfred Kilb: All here, it looks like crushed concrete that's been spread on the property.

Lauren Allegue: This is the second greenhouse, the one in the middle. You can see the before and after. And then this is the third one to the east. And this is to the east of the greenhouses. The storage container and the vehicle is still there. And we're going to be moving over a little bit more to the central eastern portion of the property. This is pretty much the same view that we were just looking at. Okay, so now this is looking south. This is the pile that's right next to that excavated hole with the water filled in it. You can see a close up of that pile there. That is a lot smaller, but it's still there. And this is looking more southwest at the same pile. That's the hole, and then you can see the fence line in the background there. Okay, so this is what it looked like in June, and then in October. You can see in the background this is where we started, in the southeast corner over there, just for reference so you can see. Looking closer up of the materials along the fence line there. And we're just looking northeast right now along the center of the property, more north, and this is looking northwest. We're still standing in the same spot. This is still east of the greenhouses. We've got some plants, we still have the machinery and the fencing. This is looking, same area, but southwest.

Lawrence Foglia: So, all of this land is under easement, that we're looking at?

August Ruckdeschel: Yes, that's correct.

Lauren Allegue: Then, this is closer up to the fence line, and I can get even closer. This was all here in June, and it's still there in October. We've got crates, pallets, some lumber, wooden spears or stakes, a bunch of materials there along the fence.

Okay, now we're going to be going up to the northwestern portion of the property. I just showed, because we got a better shot of it in June, but it's all the same materials there – equipment and this rack to the left of the Butler building. Now, this is moving up north, we're looking northwest right now and this is just before and after of the northwestern portion of the property. Some temporary signs there. Okay, we're going to be walking north up here. This is the northwest area and this is looking back south of where we just came from. Okay, this is looking northeast, really it's looking east, but it's the northeastern portion and we've got some pumpkins there, and this is just a little farther up north, and then this is looking back now to southeast of what we were just looking at. Okay, this is looking west and this is the northern boundary I guess. And, we're going into the northeastern portion now, we're walking east along the north path here. This is looking south. Okay this is the fenced in, enclosed area on the northeast portion of the property, and this is the northeast corner of the whole property, so there's still a couple of storage containers there, we have a couple of port-a-potties there. There was a playground structure there, but it's been moved to another part of the property that we'll see in a little bit. This is looking south, so you can see the pumpkin patch that we were looking at before, and the Butler building in the back there southwest. This is a structure on the northeastern portion and it's along the fence line here. This is a close-up of the fence, stand six-feet apart, wear masks. Okay, this is the petting the pony area, not much unchanged, but there are signs here now. This is a little weird, the view, but it's the best shot I could get of before and after. Okay, so now we have this hayride sign here, a little bit more signs. It was cleared out before in June, but they were having an event. Can everyone see this bar of the Zoom at the top of the screen? Oh, sorry. Is that annoying?

August Ruckdeschel: Yeah, it's okay. Maybe drag it to the bottom.

Lauren Allegue: Sorry, I didn't realize that. Okay, then this is now looking south. Again, that's where the playground structure has been moved to. It actually still is on the PDR property. It's like just on it, so it should probably be moved again. Okay, and this is looking at the petting zoo area, all the way to the east of the property. This is also all on the PDR property. And this little area, this is mostly not on the PDR property, but there is a tiny sliver that is. The PDR property boundary comes like right here. And this is looking again, looking back west. We are kind of in the middle of the property, and to the south of us, right here is – oops, my mouse went away, I lost my mouse. What happened? Well hold on that was the last slide anyway, but one second. Okay, sorry, so this is where the playground was to the south here is the non-PDR property and the boundary line cuts right along here and those are all the photos that we have here.

August Ruckdeschel: Thanks Lauren. I wonder if I could invite kind of Herb and/or Gene to maybe give their thoughts on the site inspection and any additional concerns that they might have because they were there with us and we could take and answer any questions from the Committee as a whole?

Gene Murphy: Historically, there was a significant improvement. This had been a major problem with the Town of Islip going back for at least 15 years, and at the end of the meeting, I was impressed I think, by the thoroughness of the staff report and I had to speculate that when Mr. Quintal, who has many times been not very cooperative, but the tone was very different at that meeting and more important than the tone, there was tangible improvement. The best I've experienced in my opinion in about 15 years, going back to when I was the Planning Commissioner. I do recall at the end of the meeting, we wanted to zero in on a timeline, where he would finish the improvements, for instance, moving the playground area off of the PDR land is one example. While much has been eliminated, there are still a number violations, so I think that was where my recollection was. He's shown progress, but I don't want to be too biased by my personal experience of 15 years with Mr. Quintal, but the importance of staying on it is important, but I really wanted to mention to staff, the thoroughness of the report, the specificity of the pictures and the text made an impression and frankly I don't think had been made before. So, I'll leave it at that.

August Ruckdeschel: Thank you, Gene.

Herb Strobel: Yeah, I don't have a lot to add to what Gene just said. This was my first visit to the site, so I didn't really have any historical context against which to compare it. That being said, I mean I saw the photographs back in July, I guess it was, and then the before and after photographs that Lauren just went through you know, showed that there has been, however you want to categorize it, considerable, significant improvement in some regards, but as Gene just indicated, there's still a significant amount of work to be done, and so to that extent, I think it is important to keep the landowner on a timeline that's reasonable, recognizing that sometimes things happen, where especially this time of year where the weather may be a factor and they delay some things, but at the same time, I think it is important to make sure that the landowner understands that this is not an open-ended process, that there is an end-time that is expected to be abided by. On a broader level, I think this particular situation in some ways raises some interesting questions, because the land owner makes the claim, made the claim at the last Committee Meeting that some portion of this material that he's mulching and composting and what not, is going up to

another operation that he supposedly has upstate, a greenhouse operation and some sort of potting operation, and so, he makes the claim that he's using it up there, and so that raises the question about, okay, is it permissible on PDR land in Suffolk County to be doing these sorts of activities to support an agricultural operation that's outside of the County? And then also, what's to say that let's say this landowner or another landowner was producing this material to be utilized within the County itself. I think it raises some questions that we may need to, maybe not at this point in time, but we need to start thinking about because it's quite, I'm not going to say likely, but it's certainly possible in my mind that this sort of situation will arise again in another context. So just to summarize real quick, it looks like significant progress has been made, but at the same time I think that there needs to be, that quite frankly, the landowners feet need to be held to the fire to make sure that progress continues.

August Ruckdeschel: Yeah, thank you Herb. I think... Sorry Leg. Krupski, I'll just add one more thing. Just wanted to reiterate Herb's point. I think where there remains significant differences of opinion of perhaps a legal nature again was, what level of composting is allowed on that property. It's our position that you could compost for what you're using on the farm, but not then ship it upstate to your other operations. I know he was under the impression that even Ag & Markets allowed a much higher degree of composting onsite and sale onsite. I mean even Ag & Markets is \$5,000 annually, and there's lots of signage and even verbiage on the website, I think, that still exists today, that indicates they're doing well in excess of that, so that remains a significant difference of opinion, shall we say, at this point that was reinforced. So, thank you. Legislator Krupski?

Leg. Al Krupski: Could you go back to the aerial of the site please. I'm just trying to get my head around what's going on there, and you know, where the pumpkins came from, and where the production is and all that. It's just, um...

August Ruckdeschel: I think it's safe to say that all the pumpkins were bought and imported, which you're right to point out. It's not something we really allow in our program. We allow some importation, but really, it's supposed to be kind of locally grown on geographic Long Island. I think we were, correct me if I'm wrong, I think we were a little bit more permissible about some of it, because we were concerned about like, in some years we've had really devastating pumpkin crops and would we allow that landowner to kind of bring some on to support a complete collapse of that crop, but there weren't any pumpkin vines on site.

Leg. Al Krupski: Okay, no I'm just looking at the whole site to see what's preserved and this is a good perspective here. This is what I wanted to see, just to see, cause I think the staff did a wonderful job here. I want to thank the Planning Department for this presentation, but I just wanted to kind of get my head around the whole site. Thank you. I appreciate that.

August Ruckdeschel: Absolutely.

Larry Foglia: I have a question?

Sarah Lansdale: Yes, Larry.

Larry Foglia: Is there any estimate about how many yards of material are taken in a year at this site? Is there any way to estimate that?

August Ruckdeschel: Um, we don't have an estimate on that. They're not registered with the DEC, so I think that means they are under, what is it, 3,000?

Leg. Al Krupski: 3,000, yeah.

Larry Foglia: They're either under 3,000 yards or they're under the radar.

Dale Moyer: Under the radar.

August Ruckdeschel: Well, they're not under the radar, candidly. This operation has been flagged to the DEC many times, including by us, and I guess it's their opinion or interpretation or belief that it is. Like I don't know how intensively they've investigated it, but it's been flagged for them on multiple occasions, and so, but I don't have an exact count of how much is being brought in composting.

Larry Foglia: It doesn't appear to me to be an active composting site. At most it looks like a static composting site, at most it looks like they're mulching up incoming material, probably collecting a tipping fee and then marketing out, potentially marketing out the mulch. It doesn't look like to me, I know what compost sites look like on a large scale and it doesn't look like an active on-farm composting operation.

Herb Strobel: Larry, I think your characterization is spot on. I mean, you know, granted, I've only been on the site once, but given the fact that there is that very large tub grinder there and that I would say that yes, you are correct, not so much that they were bringing in large trees and grinding them up and then shipping them out fairly quickly as mulch, used by landscapers across Suffolk and Nassau with relatively little of no composting going on at all.

Larry Foglia: You have the Belli operation in Commack, right where the Expressway and Sagtikos Parkway meet. It looks exactly the same as that and that's exactly what they do. But, right in Islip, if you go to their composting facility, it looks completely different. You have compost managed in wind rows that have to get up to a certain temperature. This is nothing like a compost site.

Dale Moyer: I have two questions. One is, and I think Al referred to this, where is the ag production? It looks like there's a corn maze and that's about it, if you call that ag production. And the other question is, what is the expectation of where this property is going to, or what is the end goal of this property to meet the criteria for the Farmland Committee's approval?

August Ruckdeschel: So, I think you're right, Dale. You know, Mr. Quintal did do the site visit with us this time. He didn't the first time and he did walk with us. I'm trying to remember, you know we're trying to make it clear that like the current operation is really not meeting, most of the parcel is not meeting what we would consider to be commercial ag production of any kind. I believe I remember him mentioning potentially putting an orchard in like the southwest corner of the property. I think he maybe even

mentioned like a vineyard. Those are really ambitious to me, type of business to pursue there, but I guess being in a residential community there's a real agri-tourism element that he wants to preserve. So I don't know how realistic, but it was something he mentioned onsite. Does anyone else remember what kind of things he kinda was proposing at the moment or at the time?

Herb Strobel: Yeah, my recollection is that he was thinking about some fruit trees and continuing or expanding the agri-tourism, particularly on the northern portion of the property, but I think the main concern right now is getting the property cleaned up to a point where it can actually be put back into some sort of agricultural production.

August Ruckdeschel: Yeah, I would agree with that.

Eugene Murphy: The northern portion.

Dale Moyer: Right now, it looks like a commercial landscape garden center operation with a little bit of agri-tourism on the side, and to me, it doesn't even come close to meeting any kind of standard of ag production.

Larry Foglia: At some point, can you acquire a farm's land? If he's sincere about bringing it into agricultural production according to the easement on the property?

August Ruckdeschel: What was the question, Larry?

Larry Foglia: Can you require, if beyond saying that he's going to put in an orchard, can you ask a person in violation like this to submit a plan on a schedule of how to bring it in compliance? How he intends to bring it in compliance?

August Ruckdeschel: I mean, yeah, I think that's what we intend to do is precisely that. To work with that person to develop a remediation plan, and one that comes to mind is the Hops Farm, one that used to be the Carucci property, and we did work with that landowner. They had to come up with, even with a cover cropping schedule remediation plan. So, that's kind of, I like to think of that one as a kind of like really good success story and a model that I think is worth following here. Again, this was more kind of like-hey we went in July-there's a lot of problems. Let's send a Cease & Desist, let's explain the expectations as far as removing of things, and then let's begin to have the conversation which, really we only began in October at that site visit, about what is he actually going to do to bring it into commercial as production. There's a lot of work that remains to be done, and I am pleased with the progress, but not satisfied, if that's, if that makes any sense.

Herb Strobel: I just want to put a little different spin, I just want to put a little different spin on some things that have just been said. You know, reference was made to a farm production plan or something to that ilk. I'm not sure it should be the Committee's responsibility to be telling a landowner what sort of business plan they should or should not be developing, whether they should be raising potatoes, hops, or something else. I think the goal, in this particular situation particularly should be, as Augie just said, requiring and reviewing a remediation plan that gets the land back into a shape that it can support

agricultural production. What type of agricultural production the landowner intends to do thereafter, that should be up to him or her as far as I'm concerned. That shouldn't be under the purview of the Committee. That's just my feeling about it. I think, you know, I just want to make sure that, I think it's important that the Committee understands where our responsibilities end and where they start and vice versa.

Eugene Murphy: One point I just wanted to make is when the original approval occurred for the PDR, it would probably be useful to go back and see from the aerials and from any other documents we have, what was the cultivation at that time? I mean, it was Brightwaters Farms because it was an active farm. My memory is that particularly the northern portion was cultivated and, and even from the last meeting which occurred to us many of the landowners were thinking about it, if there was a phase of agricultural production. The northern portion would certainly require less remediation than the southern portion. I guess those are the only two things that hit me. Where – it's been degraded for a long, long time, but there was a point in time where this was approved as Brightwaters Farms and take that as almost a starting point. How much was cultivated then? How much of the area? And then I don't see any reasons why they just can't go back to what was the basis of the agreement in the beginning. And then, I know what you mean, the situation was so bad, the remediation certainly was utmost in our minds, but your point is very well taken, that it is Brightwaters Farm and that should be our ultimate objective and maybe phase in the areas that are more suitable, generally, the northern area and let's see what can be done with the southern area as well.

Leg. Al Krupski: Gene's comments were exactly what I was going to say. You know, what was it before, what are the soils like and what can we do to restore that? Thank you Gene.

Sarah Lansdale: Augie, I was going to ask. Do we have a representative from the owner on this one? Do we have Mr. Quintal?

August Ruckdeschel: Didn't see him, but maybe he is?

Sarah Lansdale: What would be the next steps, in your mind Augie, as a follow-up to this?

August Ruckdeschel: Um, so I think, I mean ultimately, we need to schedule another site visit and set the expectations of the type of progress that we want to see. Sorry, I'm just pulling up – so this is the 2016 aerial. Everyone could see my screen, yes?

Sarah Lansdale: Yes, thank you.

August Ruckdeschel: So, here's 2013, 2010 is taking a while for some reason, maybe try 2017, this is 2007. It doesn't look like it's, as we expected it to be, been farmed for a while here. It looks like some nursery, limited nursery stock.

Eugene Murphy: Augie, what year did it go in the program? Was it the mid 90's? I'm trying to recall.

August Ruckdeschel: It's an older one. Andrew can you help? Wasn't it like 87?

Lauren Allegue: 84.

August Ruckdeschel: So let's – here's 1984.

Eugene Murphy: Wow.

Leg. Al Krupki: Wow. That's poor color.

August Ruckdeschel: There's 2001. That's the next leap.

Larry Foglia: Can you go back to the one that had the nursery stock on the southern part?

August Ruckdeschel: I think that was like 2006? Yeah.

Larry Foglia: They look like they are in the ground or on the ground?

August Ruckdeschel: That looks like on the ground to me, but I won't testify to that.

Larry Foglia: Yeah.

Herb Strobel: And Augie or Andrew, do you recall when the present property owner became the property owner?

August Ruckdeschel: Yes. Andrew or Lauren, I know we have all of this.

Andrew Amakawa: I don't have it on hand. Let me think, would have to look at the property record.

August Ruckdeschel: I can get it.

Herb Strobel: Yeah, I mean, it's not that important right now.

August Ruckdeschel: I want to say I thought it was like 90's?

Eugene Murphy: I said mid-90's. That's what I was thinking you know, when he took it over as opposed to when our grievance was initiated?

Herb Strobel: Thank you.

Eugene Murphy: For many years in Islip, it was a beautiful farm, you know, and then things began to go south later on.

August Ruckdeschel: Let's see. Okay, I pulled it up. So, we purchased it in 1984. It was one of our early ones. Mr. Quintal bought in 1998, later than I thought actually. My apologies, 1998.

Sarah Lansdale: Does anyone want to see the earlier? Earlier than 1984? We have 78.

Larry Foglia: You have 1947. Look at that.

Eugene Murphy: There were a lot of farms in Brentwood in 1947. Believe me. Very good farmland.

Larry Foglia: They were growing vegetables for the war effort.

Eugene Murphy: Right. I think the significance of 1984 is because that was the basis of the agreement.

August Ruckdeschel: Yeah, this is 84.

Eugene Murphy: For a number of years, it was a ...

Leg. Al Krupski: It's a great record. Thank you.

Sarah Lansdale: Okay, so are there any other comments?

William Sanok: Sarah, may I make a comment?

Sarah Lansdale: Sure.

William Sanok: One of the reasons they bought this land from what I remember is very similar to what was up on the northern part of Huntington, the Froehlich Farm, because when they were making the purchase of development rights, some of the legislators from the west end wanted to be included. So they were looking at farms on the west end and it was a lot more expensive than the east end, obviously, and I think this was one of them, and I think that was one of the reasons why it was purchased with the understanding that it would be a farm, as Dale Moyer said, with agricultural production. And I think that's really what people expect when they buy development rights.

August Ruckdeschel: To be clear, that's a requirement for all of our parcels, that they be in commercial ag production.

William Sanok: But remember what happened at the Froehlich Farm. Some of you were probably not on the Board at the time, but they turned that farm into a C & D operation, construction and demolition. So we made them clean it up, the County made them clean it up. So, I think this is something, I think you ought to ask the landowners to come back with a plan with agricultural production. There's a lot of things they could do. We don't have to dictate what he does, but we can dictate what he should not be doing, and all of these things should aim towards what the whole purpose of the PDR program was and it's certainly not to have a commercial operation for mulching and other things. And getting back to the comment, it looked like that nursery was in-ground at the time, back 15 years ago. But, I think having that type of operation on the farm there, it's going to be hard to get that soil back into good production. It's going to be a real challenge. So I think they might be coming back on that in the near future. I just

thought I'd throw that little perspective on it.

Sarah Lansdale: That's very helpful. Thank you.

Herb Strobel: Augie, getting back to Sarah's original questions, I mean in terms of potential next steps, I'm just curious, has staff had any follow-up written or oral communication with the landowner since the October visit?

August Ruckdeschel: We haven't, no.

Herb Strobel: I'm just going to make a quick suggestion that maybe staff or the rest of the Committee might want to consider is have a follow-up or provide a follow-up written document kind of, very briefly, summarizing the visit, that it's, you know, there has been progress made since the original violation was issued back in July, or whenever that was. That the Committee is looking forward to further progress and perhaps laying out some milestones like perhaps scheduling the next visit or two even, just to make sure that the landowner understands that, you know, progress is expected to be made, continuing progress is expected to be made. I think it's important to get back to the landowner in one form or another.

Eugene Murphy: I would second that. The focus was so much on remediation because frankly there was so much to remediate, but going back to the earlier aerials, just stepping back to it, the reasons taxpayers bought this development rights was for a farm in an area that didn't have them. Certainly, the northern area, I think there are opportunities. The northern area is much less degraded than the southern area, so I have to second Herb's point on that, and also reminding him that he bought it in 98, but the County bought made the policy decision in 84 on the basis of what it was then. And while, it won't happen overnight, if there was at least significant progress on one of the areas much less degraded, the northern area that would I think, be important.

Larry Foglia: I have a question. Are you assuming that he is completely going to stop his mulching operation there or what he calls the composting operation and not have the tub grinder and the screens?

August Ruckdeschel: That is going to be more complicated. It's probably going to need more legal evaluation. Like I said, when we did the site visit, I think there was an understanding on both parties that the site needs to be brought into commercial ag production. There was certainly a disagreement on whether or not he could continue to do the composting for his other operations, which he has upstate. He has like a 100 acre hay farm, and then he has like a, I forget, like a 40 or 60 acre kind of greenhouse operation.

Larry Foglia: To me that doesn't make sense. He also has hundreds of thousands of dollar's worth of machinery there that he either needs to bring in material to support or he's got to sell the machinery. That's expensive compost to make it here on Long Island and truck it upstate. Doesn't make sense to me.

Leg. Al Krupski: To Larry's point, it's not compost. He's right, it's mulch. You just have to go down to the dump and see an actual compost operation. And he's right about the volume of it and the amount of equipment needed to keep that operation running. Has anyone ever verified where the owner says the

compost is going? I just wonder where if anyone's like said, "oh yeah, this is his operation up there?" And it clearly uses a ton of compost.

Larry Foglia: On hayfields upstate, there's so much dairy manure available close by to spread on your hayfields. It doesn't make sense to make Long Island compost.

Herb Strobel: Well to be clear about it, he made the representation that most of the material was going up to this, I believe he said 1.5 million square foot greenhouse operation that he has up somewhere near Utica, I believe.

August Ruckdeschel: Yeah, it's in Utica. This is from the website.

Larry Foglia: Whoa, that's a long way.

August Ruckdeschel: Am I showing the right screen? Can we see the Brightwaters Farms website?

Sarah Lansdale: No, you're showing um..

August Ruckdeschel: The spreadsheet?

Sarah Lansdale: Yep.

August Ruckdeschel: Okay, so this is the website. You see they have their Bay Shore location. This is Masonville, this is kind of the hay operation, 100 acres in Delaware County; and then Utica is kind of an indoor growing operation, greenhouse operation. Again, this is what he maintains. Again there is a difference of opinion here, a significant one that will probably require lawyers to battle out, candidly. So, our Division's going to focus on fixing what we can in the interim.

Sarah Lansdale: So could we establish some next steps. I know we, there's been a suggestion by members of the Committee that staff send out a follow-up correspondence and establish a timeline. Do you think it's reasonable, Augie, to have this, have Mr., the owner come back in at the January meeting and provide us with an update on his plan, provide his plan to us and to have that correspondence, obviously, sent out before requesting the plan and his presence at the meeting in January?

August Ruckdeschel: Um, we can ask for it. I would not expect one, candidly. He certainly represented during the site visit that he was going to need more time than that. My other concern, candidly Sarah, is that, you know, me, Andrew and Lauren, you all know, are on full time COVID contact tracing right now, so I'm not saying getting a letter out is difficult. Yes, I could do that, that's not an issue. Um, I even took notes on how we should frame that. I can send him a template: for looking for progress made, what's your long term plan, are there phases, what anticipated crops are you going to grow? Here will be our next visit, but I also don't want to over promise what we can deliver between now and January. I'm just trying to be realistic.

Sarah Lansdale: So, what we could do Augie, is I'll work with you offline and request a deferment from

contact tracing to get this out, if that works for you and your team and the Committee?

Leg. Al Krupski: And I would support that and ask my colleagues on the Legislature to support that also, to do, because this is serious work and um, it should be concluded here, otherwise it will never end, if the owner doesn't think the County is serious.

Sarah Lansdale: Okay. So good, so that's it. I don't think we need, Jenny, I don't think we need a motion. We'll do this if that's okay? Jenny, do we need a motion?

Jenny Kohn: I agree. No motion.

Sarah Lansdale: Okay, great. So Augie, you and I will talk, if that's okay, and we'll figure out how and move on from there.

Larry Foglia: Augie, what happens when you click on Bay Shore on that home page?

August Ruckdeschel: So yeah, this is the site for that.

Larry Foglia: Thank you.

August Ruckdeschel: I feel like there was some more information there, candidly, and I feel like they may have stripped things down, if I'm being honest, but we have screen shots of the old one.

Larry Foglia: I'm just curious what they advertise.

August Ruckdeschel: Yeah, they had signage out front advertising selling compost and mulch. We have pictures of that as well. And it was advertised on the site. Oh, I think it does say...

Sarah Lansdale: Can you click on that hyperlink. It's above the map. Right there.

Larry Foglia: Wow.

August Ruckdeschel: So we have another one and we have that landowner here. So, I'm hoping we could move onto the next report.

Sarah Lansdale: Good idea.

August Ruckdeschel: Andrew, you're back up.

Andrew Amakawa: Okay, I'm just gonna share a screen here. Okay, can everybody see? Okay, alright. So this is in regards to a site inspection that the County conducted for the Voellm property. The property is located south of Head of the Neck Road and west of Pine Street in Manorville in the Town of Brookhaven. The property consists of four parcels totaling approximately 12.2 acres. The County and Town of Brookhaven partnered on the purchase of development rights to this property in 2005. The

property was previously owned by the Grace Marie Collins Trust/Margaret Hanley and Eberhard Dairy Farm Inc; and the ownership was transferred to the current property owners, William A. and Kathleen Voellm on May 3, 2019. I just want to also recognize, I think the landowner is on the line, so we're going to provide an opportunity after reviewing the site visit photos, to speak.

So again, the visit was conducted in response to a complaint that was relayed to the County by the Town of Brookhaven on September 25th, regarding piles of what they described as material mixed-in with garbage materials. A County staff visit was conducted thereafter on October 6th and a subsequent Cease & Desist was issued on October 14th in regard to various violation items, a copy of which was provided to the Committee ahead of the meeting. The landowner did respond via a phone call, which Augie will be able to provide an update after the Power Point. Just generally, the observations and issues that were observed were in regard to non-agricultural uses, improvements, materials and unimproved structures and improvements that would require review and approval by the Committee. Also, before beginning and digging in, I just want to make the Committee aware that this property was the subject of substantial violations under the previous owner back in late 2017, early 2018. Some of the Committee may recall that it involved an unauthorized transfer station use for receiving and transferring solid waste. This is again, a prior violation issue that was addressed. There were violations with not only the County program but the Town as well as DEC, and again, those are separate issues, but it brings to mind some of the history there.

So we're going to go through the site photos here. So we started on, we entered the property on the western side (correction: eastern side), and as we entered, you can see there's materials there, appears to be compost material. And I'm just going to note as we go along some of the issues observed. So there was an unimproved stone road that was put in. On to the next slide. So again, just looking west, you see the materials piled up on the southern portion of the property. A close-up. You can see a trommel in the back. This is looking along the southern boundary looking west – you see it's mulch and compost material, what appears to be mulch and compost material, I should say. And then, along the property line, we walked a little bit further west and then a look back east and you can see there are some, looks like - we're going to get some close-ups – it looks like garbage material mixed-in on some of the piles. Again, a close-up, you can see some paper and maybe some plastic debris mixed-in here. Again, just looking at the trommel, dumpster. A little to the north, it was an area that was cleared, but no sign of ag production use. Just noting some miscellaneous items here – a dumpster with looks like some bricks and stone pallets – some were on the PDR and others were off, actually would be off the PDR, but nearby. Okay, so we headed further west along the property again, on the southern portion and you can kind of get a view of sort of the amount of the expansive material. So left to right, or heading east to west looking south. Okay, so we're gonna move on to the let's call it the northeastern portion of the property where there's some improvements and structures. There you have a storage container. So again, pretty much everything you see would require review and approval except for the Morton building, which was existing at the time of the County and Town's acquisition of development rights. And again a structure there, a storage structure. This is one of the issues observed. It's a modular building. It appears to be a residential use type structure, so that was one of the items identified in the Cease and Desist. So we're walking up north. The other structure that was noted is a trailer. It appears to be a residential use type structure, and there was a request for clarification in regards to the use. The Town is also looking into this as well. You can see there are some accessory structures, a brick path on actually both sides of the

trailer. So a brick path leading to the trailer and then also, there's actually a fire pit. It's under a cover there. That would also be something that would, residential use type improvements would have to be removed. And then looking at just the various items – again another shed, would require review and approval and then miscellaneous materials as you see in the pictures – gym equipment, firewood. Looking back at sort of in the southwesterly direction, it's open field, dumpster – empty there. Then some miscellaneous items – scrap metal, wood debris. After we go through these photos, I think it would be good to see the comparison of the difference between the violations under the previous landowner and what it's come to be now. You know, the issues that we observed and the items that we observed on this site visit are different from what was observed back in late 2017, and there was frankly, substantial, significant clean-up effort that was made and you'll be able to see the difference later on, but the newer issues still remain. Some equipment, vehicles, a boat.

Okay, so moving on to, heading sort of west, some other structures, again would require review and approval – a greenhouse, shed structure. Here, some wood materials. Previously several years back, there was a substantial amount of wood materials on the property as well as logs, tree trunks, firewood that were being processed at the time. Again, even though there are some remnants here, it is a substantial improvement.

Okay, as we moved further west, there was some equipment. This is actually just off the PDR, so storage container, trailer camper, again just off the PDR. And then, moving again, further west, this is where we started to see some of the mulch and compost materials. Some had been spread, most was located in windrowed piles. This is just looking back east, to give you a context of where we came. Looking back north, sort of an open field area, again, didn't appear to be in ag production use at the time. This is where the mulch had been spread. And then looking a little further west, you can start to see the piles of mulch and compost. Again, looking back east. Looking further west again you can see the compost and mulch piles.

So, that was the end of that inspection, and again, I mentioned I wanted to keep them separate just to give the Committee the idea of the clean-up effort and progress that was made since 2017. Again, just to note that the 2017 owner is different than the current owner. But, back then, you can see where they were processing firewood and lumber. They were, again, they had an unauthorized transfer station use. You can see a truck and some of the dumpsters there. Some of the dumpsters, trucks. It was quite substantial at the time, dumpsters.

Larry Foglia: That's all PDR property?

Andrew Amakawa: This is all PDR property.

Larry Foglia: Wow.

Andrew Amakawa: That's the solid waste. Dumpsters, and again, it was not just a violation of our program, but also Town and DEC Conservation Law. We did a coordinated site visit with the Town and their investigator. Garbage trucks, dumpsters. This is the trailer structure that is still an ongoing issue. At the time, there were some other materials that were strewn about. And looking back at the firewood

and lumber, tree trunks. And that's it. So, again, I just want to recognize the landowner is on the call, I believe, so we want to give them the opportunity to speak if they wish. And also, Augie can give an update on the response he received, the call that he received from the landowner as well.

August Ruckdeschel: No, I was only gonna recap the phone call if he wasn't here, but he's here to speak for himself. And, I'm not sure, if he wants to talk to us, or if the Farmland Committee has any questions, but we'd like to give him the opportunity first, since he's here.

William Voellm (landowner): Sure, I guess I've got a few things I could say. First thing is I want you guys to understand I'm on your team. I'm all for, I'm a big proponent of preservation of land, I hate to see it get destroyed, but sadly to say the approved agricultural uses on Long Island are very poor agricultural practices. Even the industry I'm from: nurseries harvest soil every day, they're selling tons of soil for every little truck load, container operations, bulldozer topsoil, mass stabilizer base and cover it in seas of black plastic. It might as well be a parking lot. Sod farms harvest dirt every crop, monoculture, growing of things used to be like potatoes, massive uses of insecticide, and there's problems with all kinds of stuff. So any way, I'm on your side. My provenance with compost goes back to pre DEC. We've been utilizing and accessing that valuable resource of compost before there was ever a tipping fee. When you could take all you wanted to the landfills that were opened in Nassau and Suffolk County for a yearly permit fee, we used to take our time and our effort and put thousands of yards of compost in our facility in Franklin Square, from Garden City, in the Fall, when it was almost a year old and it would take us until Spring time to get it ready for sale and I realized that that is a beautiful product, leaf compost. Nobody's gonna tell me it's not a sound horticultural product. Now, you might look at it from the other end of the guy who's in business, as a garbage man, like Vigliotti started with Long Island Compost. They started that business in the tipping fee end of it. They had garbage to get rid of. Liotta, Omni, all of these people and you see their materials all over Suffolk County on agricultural land. I got the GSI Survey thing too and I'm familiar with what's out there. Now, I'm trying to preserve that soil. I bought that farm as a hobby, and I've been trying to clean it up. Now, I've got a legacy there of garbage that was left to me by my cousin, and I'm having trouble throwing stuff out. Like how do you throw a boat out that ain't yours? or tow a car away that ain't yours? or the other stuff? Now those buildings I inherited, they were there. Like he says they were for his farm workers who worked on the farm and the other thing, was an office. It's an office just for now the guy is sitting there, as a clubhouse to watch Fox News all day, but you know, they don't do nothing, but these people don't really bother me, but I'm working on it. As far as that compost goes, if you look at my end product, it's beautiful, and I only take what I need for my business in Franklin Square. I don't take excess. I've been doing that out there for 20 years and you don't see an accumulation of compost or mulch. The only accumulation I had was when they closed the Town dump during Sandy and I was up to my eyeballs trying to do the right thing for my customers. That's the one berm on Pine Street. That's the legacy of Sandy and that mulch I'm spreading out in the field is a legacy of Isaias. I have a certain obligation to my customers, but I try not to take any excess beyond my need, and the DEC agreed with me, cause they gave me an exemption to do what I do, because they know my provenance, they know the history of my nursery. I think I should get a ---- lifetime achievement award for the millions of tons of stuff I kept local and out of the landfill for years, off the road, local and out of the landfill. Now you guys can stand where you want on what agricultural is, but I'm, listen, I bought this property as a hobby because you know my Aunt wanted me to buy it. She was mad at Russell Weiss. She didn't want to sell it to him, because she thought all her problems came from Mr. Weiss wanting that

property to add to his property, so she asked me to buy it. So I purchased it, and I'm trying to do the right thing. I'm trying to preserve the soil, but it reminds me of the old joke about the two farmers talking about if they're gonna to win the lottery – "What are you going to do?" One says, I'm going to buy the best RV I can find and travel the whole country. The other one says, I'm going to just keep farming until the money is all gone. Well my uncle's got I don't know how much land south of Sunrise. He says that can barely survive support one family. My azalea grower says that if his wife didn't have a job with the school, a teacher, with health benefits, they'd have to sell out and get out of Dodge. The other suppliers that I purposely buy from, buy from now they like me buying their stuff, now if I started growing it myself, I could, I have a couple of people interested in doing some stuff. One guy comes from Kiel's in Bayside. He's an excellent grower of succulent plants. He wants to do a little work there. I have another guy who was interested in maybe putting hops there, but as far as my intent and my purpose, I'm all for preserving that land and I'm just fine letting my farmer mow the grass and have the deer, turkeys and groundhogs come over there and eat is good enough for me. I don't want to put up a fence, cause once you put something in the ground, anything in the ground there, they eat the yews down to a stub. They had yew bushes eaten down to three inches of the ground over there that I cleaned up. So, anyway that's my thing.

Sarah Lansdale: Sir, I think we – thank you so much for your overview and response. I just want to see if there's questions from the Committee and I have a first question. Are you familiar with the Rules and Regulations? Have you been provided or have you accessed a copy of Chapter 8, which is the rules that govern the County's Farmland Program?

William Voellm: Well, I understand that there's a lot of rules and regulations, but a lot of them are subject to interpretation. I just talked to a man who litigated a whole thing with the New York State Department of Agriculture about mulch and compost, Mr. Delea, Rick DeLea, and he says you know, it came out that that is to be considered an agricultural endeavor. Now I don't want to turn my place into a Ed Holub's place or like Dosiak's on South Street over there at Exit 69, or like you can go out on Old Country Road and find a dozen different places piling up stuff, because listen once the garbage men came in, their sole objective is to collect a fee and get rid of the stuff. They can pay \$3 or \$4 a yard to a farmer to take it and they're happy to take it, and they should utilize it. They should put it in their field and rebuild the soil. It's good sound practice, but that's not where I'm coming from. I need this material to satisfy my customers. Before the tipping fee, I couldn't afford to truck it back and forth. I used to take all I could fit from Garden City, and then half way through the season, I would run out, there was problems with their material cause they used to sweep it up off the road. There was cars parts and all kind of junk in it and I didn't have the facilities to screen it, but the customer was satisfied with it anyway, cause he knew if he raked it out and added it to the flower bed, it would improve the health of the soil. But any way, I come to the standpoint that what I'm doing is a sound agricultural practice. That material is the best material there is. It's far superior than anything I ship in from Canada; and I buy stuff, hundreds of thousands of dollars worth of peat moss and top soils and stuff and mulch comes out of Canada for me and this is right here...

Sarah Lansdale: Thank you so much. You have a Committee of peers, who have also been in the business for a long time and I'm sure they have some questions for you. Herb?

Herb Strobel: Sarah, this is a question for staff. Can you remind me, when were the development rights purchased by the County and the Town?

Andrew Amakawa: Sure, I can give you that. It was in 2005.

Herb Strobel: Obviously, a different landowner, it was under a different landowner at that point in time. I recognize that. And also Andrew, you may or may not recollect – on one or both site visits was that supposed residential trailer on site both times, to your recollection? Not the one near the office, but the one that was at some distance away it seemed?

Andrew Amakawa: Right, yeah so both of them were, both have been ongoing violations.

Herb Strobel: Okay, thank you.

Sarah Lansdale: What is the language, Augie, on Chapter 8 regarding residential structures on farmland? I don't think that there's any ambiguity or any grey area.

August Ruckdeschel: No, structures, even for agricultural labor are not allowed in our program.

Herb Strobel: Just to clarify, Augie, it's my understanding that some of the very early development rights deals did in fact, include residential structures. Is that correct?

August Ruckdeschel: Um, I think there may have been like two or three tops, that were purchased back in like the late 70's like that that did not have Chapter 8 as it exists now, that had some homesteads purchased back then.

Herb Strobel: Right, I just want to make sure that people understand that there are some exceptions granted, they're very early on and at the end of the day whatever the development right deeds and contract language, that's what actually governs what, you know, the relationship is between the landowner and the County.

Sarah Lansdale: Any other questions for the Committee at this point? Leg. Krupski?

Leg. Al Krupski: Has it been made clear to the landowner that the land is preserved for agricultural production and not for a commercial compost operation? Sir, when did you buy this?

William Voellm: Two years now.

Leg. Al Krupski: Okay. So we have a very productive farmland on Long Island and the program is to preserve it for agricultural production, and not necessarily food production. You know there's a wide range of agriculture, a lot of diversity that can take place on preserved land that's appropriate and that's what the land was preserved for and while the quality of your compost might be outstanding, but that's not agricultural production.

William Voellm: Well, are any of you familiar with the case involving Rick DeLea and the litigation that was undertaken?

Leg. Al Krupski: Well, that's private business between someone and the DEC, that doesn't involve Suffolk County.

William Voellm: No that was Suffolk County.

Leg. Al Krupski: No, I'm not aware of that

William Voellm: You're not aware of it? Well I'll have to contact him and get a hold of his lawyer and see what the outcome was and ...

Leg. Al Krupski: Sure, sure.

Sarah Lansdale: Jenny are you familiar with that case? You're our counsel.

William Voellm: He told me that the New York State Department of Agriculture came down on the decision that the mulch and compost could be considered agricultural.

Leg. Al Krupski: It could be part of an agricultural operation, but it's got to be associated with production. A soil amendment and not as a commercial operation that it then gets shipped offsite to some other place further west.

August Ruckdeschel: Yeah, so if it was in an Ag District, you can do mulching and composting for onsite usage and utilization, but it has to be in support of a commercial agricultural operation, and clearly at this point, there's no agricultural operation going on at all. Even New York Ag and Markets, by their own definition say, "Beyond onsite usage, compost, mulch or other organic biomass crops is defined in Subdivision 16 of the Section produced on land and used in agricultural production not to exceed \$5,000 annually." So, even if you were doing a little bit of exporting offsite that's allowed. Now, also remember that our Suffolk County Purchase of Development Rights Program allows us to be more restrictive because you've sold away some of those abilities. You've voluntarily entered into an agreement with the County to limit what you can or cannot do on the site bounded by the rules of Chapter 8, as this one is.

William Voellm: That's what I wanted ...

August Ruckdeschel: We don't allow—again, you could do composting/mulching onsite to support the operation, but not to sell it offsite.

William Voellm: There's no...

Jennifer Kohn: Sarah, I'm sorry. I think I was on mute before. No, I am not familiar with the DeLea litigation.

Sarah Lansdale: Thank you, Jenny.

William Voellm: Now, alright, so say I have a gentleman, he's interested in putting hops on the property. I assume that's okay? Now, if we grow hops, is it possible to put a brewery in that Morton building?

August Ruckdeschel: Uh, remind me Andrew, the Morton Building is in the preserved area?

Andrew Amakawa: Yeah, the Morton building is in the preserved area. It was on the property at the time of the development rights purchase.

August Ruckdeschel: So, we do allow, hum, that's an interesting question. We do allow kind of farm stands and tasting rooms up to a footprint of 1,500 total square feet. So, you know, could it use the entire floor of that Morton building? It's a question that hasn't come up, candidly. I don't know if...

Sarah Lansdale: And wouldn't it also be subject to local zoning?

August Ruckdeschel: Well, yes.

Larry Foglia: Just for clarity too, you don't grow, you don't process hops on the same property that you grow them and then use them in the brewery. They have to be shipped out, dried, and made, prepared to be able to brew from them. It's not an onsite thing. It's a crop that you ship out.

Herb Strobel: Well to be clear Larry, it could be done on site. Most people choose not to do it on site. What anybody does in the future, that's up to them, so in theory, it could be done on site.

William Voellm: Could I get permission to put a drying house up? A drying, a hop house they use for drying, there's excellent wind there.

Sarah Lansdale: Bill, you had a quick question?

William Sanok: Well, if you look at the property in Mattituck, they do have a Morton Building there where they do the drying of the hops. So it is, just like a potato storage on a potato farm, it's part of the food production, the agriculture production, whether it's food or nursery, doesn't make any difference, but it's part of the production, not the sale and not the processing. Your question was about a brewery. A brewery would certainly not be part of it, just like a winery is not part of the PDR Program. It could be an accessory to it, but not on that property.

Leg. Al Krupski: This is interesting, but we should probably bring it back to the commercial compost operation and the lack of production, the current lack of production, and that residential housing there. So we should kind of start with what's going on first. I mean what could happen there in the future is, there's a lot of things that can happen there in the future that are all good, but we probably should address what's going on there first.

William Voellm: I'm, I am working on this. It's not really Like I said, I didn't buy this to go into a full-

time endeavor there because frankly, it has to almost be a hobby. Like I said, I don't know anybody who's making a living off of 12 acres. My azalea grower, like I said, he said if it wasn't for his wife being a schoolteacher and having health care, he'd be packed up and gone. But any way, I'm working on it. I took over 13 truckloads of garbage to Route 110 landfill. Those containers you see there that are roll-off containers, they're used in our nursery business. We transport trees with them and mulch and compost, but we do transport trees with them, and they're part of our nursery business in Franklin Square, and we go back to 1934. My uncle, south of Sunrise, I don't know when my grandfather bought that. I think in 1965, and then he used to own this piece right now. This is a remnant of what he used to own there, that was an old potato farm. Anyway, like I said, I'm not looking to make trouble over there. I just want to, you know, like I bought this cause I hated to see that big mess over there, so I've been cleaning it up and I'm working on it. The only thing there you see that's mine is two pay-loaders, the soil screener and the compost. Now, you know, I guess the compost I thought would be considered agriculture. I could understand that you said that they don't want to consider it as the income as agriculture towards the tax thing, but then again, I was told by Lorraine that they took my exception away for taxes and now I have to pay the full ride on taxes, which comes out to instead of \$7,000, \$19,000.

August Ruckdeschel: So, I know we talked about that on the phone. I mean, I don't speak for the town, but one of the reasons the town would take away that agricultural assessment is because it's not in commercial agricultural production, and bringing it back into agricultural production would help you get that ag assessment again. So, I think that's another nice carrot, at least.

Sarah Lansdale: Why don't we do this. Why don't we expect from you a plan, and really a path of how you are going to fix all of the violations currently on your property. Augie, have we provided him with a detailed list of all of the violations?

August Ruckdeschel: Yeah.

Sarah Lansdale: Great. So you have that list and we expect to hear back from you in January, and we will plan to do a site inspection, hopefully before then, and see again, progress made and a report on the progress made towards remediating the violations and also a plan for how to bring this into agricultural production and compliance with the County's program.

William Sanok: Sarah, I would just add that he needs to look at the Section 8 Guidelines.

Sarah Lansdale: Well, that's what I asked him at first. Did he have a copy of it?

William Sanok: Apparently, he's not familiar with them. We can discuss this forever, but he needs to be familiar with it.

William Voellm: I remember a vague statement about open land.

Sarah Lansdale: No, there's Chapter 8. Augie, can you send him a copy.

August Ruckdeschel: We sent it with the Cease & Desist.

William Voellm: There's no provision to just leave the land open?

Leg. Al Krupski: Could you address the housing? Cause that's really cut and dry. The housing's cut and dry because it's prohibited.

William Voellm: No, I'm not talking about the housing.

Leg. Al Krupski: Why would there be a plan if that's not allowed.

William Voellm: Well, the housing, I'm addressing, because that I inherited with the property. I should have made them, you know, clean everything up first, but this is cousins and family I'm dealing with, like the stuff the camper, it's not mine, the cars are not mine and the shipping containers, my cousin has his household belongings in there, because he went bankrupt from farming with the nursery and he's got no house now and no place to put it. He lives in the basement, but you know, it's not easy. It's not easy dealing with friends and family and trying to throw their stuff out. You know, it's not cheap either. I don't know how much it's going to cost me to throw that boat out, but nobody wants it. I tried to donate it, but now I've got to break it up and put it in a container and take it to the dumps, it's gonna cost me hundreds of dollars to throw it out, but I'm working on it.

Sarah Lansdale: Great. We hear you're working on it...

William Voellm: I have nothing else to do but work on that property. I bought that as a hobby.

Sarah Lansdale: So why don't we do this. We expect a response to this. If you'd like, we could, you have a copy of Chapter 8. It was sent with this violation notice. We do have the ability to ask for penalties if it goes to that, in court. So, we're trying to avoid that sir.

William Voellm: Can I ask you one question though, because I was looking on the GIS Survey thing. Is there a specific number that don't denounce when they sold the property rights, like when you look on the GIS Survey? Like I see a lot of 303s or you know, different numbers for different uses. Like can I tell by looking at that, because I just want to...?

August Ruckdeschel: What was the date again Andrew?

Andrew Amakawa: Specifically, it was May 26, 2005.

William Sanok: Sarah, I think what he is referring to is 302, 303. That's part of 26AA Ag and Markets, the agriculture districts.

Sarah Lansdale: That's Ag and Markets. That's separate from this.

William Sanok: I mean he ought to look at it, but it is different, and it kind of matches a lot of section 8

Sarah Lansdale: Right.

August Ruckdeschel: Chapter 8.

Sarah Lansdale: Chapter 8.

William Voellm: Well it seems like there might be a double standard then.

Sarah Lansdale: No, it's consistent, it's actually consistent.

William Voellm: Too consistent. I mean, not to sound facetious, but what happens...

Sarah Lansdale: Thank you so much sir.

William Voellm: What happened three years ago? Because for the prior 15 years, there was no enforcement, no nothing and now it seems like it's a pretty high standard to meet, that I have to grow something. I'm going to put a worm farm in, I assume, maybe to raise earthworms.

Sarah Lansdale: Well, we look forward to receiving your full plan for a worm farm, as long as that meets agricultural production and commercial production, our standards.

William Voellm: Okay.

Sarah Lansdale: Fantastic. Thank you so much for joining us tonight. Any other questions from the Committee at this time?

William Voellm: May I make one more statement? I think that I'm holding too high a standard where things were you know, taking the economic considerations completely out of the picture here and holding this is going to discourage anybody from selling their building rights. I know right now, from what little I see now, I would tell somebody, you're out of your mind to sell your building rights, because you know, if there is something that you can do that's not even hurting the property and to make it economically viable is denied, but yet you know, you should just whatever, anyway...

Sarah Lansdale: Thank you. We look forward to hearing your report. We'll have that, we expect it before the next meeting.

William Voellm: Okay.

Sarah Lansdale: Any other comments or questions right now? Seeing none, do we have any other matters before the Board?

August Ruckdeschel: Do you want me to give the pipeline update Sarah? It's quick.

Sarah Lansdale: Sure. Thank you.

August Ruckdeschel: Okay. Alright, one more thing on our Agenda. This should be a nice and easy one. Here we go. Alright, so I just wanted to give everyone an update of kind of the County's finances and what's going on with on-going farmland acquisitions that have been completed or in the pipeline. So at the October 6th General Legislative Meeting of the Suffolk County Legislature, they authorized the appropriation of just over \$11,000,000 in PAYGO funds to cover the cost of purchasing land under the New Suffolk County ¼% Drinking Water Protection Program for Environmental Protection. At that same meeting, the Suffolk County Legislature approved steps to allow our Real Estate Division of Planning to make offers on 17 properties, which for whatever reason, it just happened to include 15 open space acquisitions, 1 hamlet park, and just 1 farmland preservation of development rights, and that was one that we approved a while ago. That was the BB & GG Farms and Nursery in Head of the Harbor in Smithtown.

But we've actually had a really successful year, even with COVID, as far as what we closed in 2020 and we have some really exciting projects still in the pipeline that we hope to close. So these are all the 2020 closings. Larry will recognize his name up there. It was a good year for Huntington. Really, Elijah Farm and Foglia are kind of one and the same. They're adjacent parcels, one farm operation. Tilden, Gajeski & Gajeski, Zilnicki & Zilnicki, Brookhaven Nursery, and put an asterisk next to this Anderson one. I'm not sure if it's closed yet or right at the finish line. I think it did close, but don't lock me in on that. But in 2020, we've preserved over 100 acres and spent \$5.65 million on farmland in Suffolk County. A nice kind of geographic spread there too.

We have signed contracts for some other exciting properties, Big Bing/Little Bing in Southold, the Wells Homestead in Riverhead and the Schmitt Farm in Riverhead. So that's potentially another 122 acres nearly. We extended that offer to BB & GG, that's what you saw in the previous slide. Appraisal Steps have been approved, but not ordered, and I'll explain why in a second. For some that have come across our desks earlier this year: Garden of Eve, I want to say was back in March was recommended to the Legislature that they approve appraisal steps, which we ultimately did; the Greenlawn Sod property, Eberhard Nursery operation and then the Muller Farm. Again, a nice kind of geographic spread there. And then there's one more that this Committee recommended for appraisal steps that hasn't gone before the Legislature yet, and that's the Meyer's Farm and that goes before the Environment, Parks and Agriculture Committee tomorrow and then the General Legislature after that if it's approved by them.

Larry Foglia: Where is Meyer's Farm?

August Ruckdeschel: Question?

Larry Foglia: Where is Meyer's Farm? Meyer's is in Riverhead and Calverton.

August Ruckdeschel: What Funding Remains? This is kind of the depressing part of the presentation. So with that \$11,000,000 appropriation, the County has extended offers on all allocated appropriations. So, no funding left, essentially, at this moment in time. However, if some of the offers are ultimately turned down, the legislature may once again...

Sarah Lansdale: Augie, time-out, Augie, time-out for one second. That \$11,000,000 was 2019 money, right, from the ¼ cent?

August Ruckdeschel: That's correct.

Sarah Lansdale: This is an on-going revenue source, so there'll be money appropriated the following year. In 2021, the 1/4 cent will be appropriated from the 2020 monies.

August Ruckdeschel: Yes.

Leg. Al Krupski: You're welcome.

Sarah Lansdale: Thank you.

August Ruckdeschel: So, like I said, with no additional funding available at the moment, the Division of Real Estate is not currently ordering appraisals on new acquisitions. We talked about this at the last meeting, but importantly, ordering appraisals at this juncture, even if we had the money, which we don't, would really risk the expiration of those appraised values. It would go stale. So, we'll look to order appraisals when a new round of funding becomes available – most likely Fall, 2021, but again, it's a potential some could go earlier than that, but you know, there are things in the pipeline that perhaps the contract falls apart in the end, the landowner dies, who knows what. Some money may become available, but right now, presuming everything we have in the pipeline continues to completion, it probably wouldn't happen until Fall 2021. The funding is sales tax generated, so reduced funding is fortunately expected in 2021, due to 2020, so this year's sales tax estimates related in part to COVID, of course. So, if we got \$11,000,000 in 2019, you know, 20-30% reduction perhaps in 2020, hopefully, only that.

So What's Next? What is our Division doing during all this? We're still accepting letters of interest for both open space and farmland preservation despite the current funding challenges. You'll never remember those links, but

Sarah Lansdale: Augie does a very good job and his team managing expectations.

August Ruckdeschel: Manage expectations. The process is already a slow one. New appraisals will not likely be ordered until perhaps Fall 2021. Even then, the Legislature will have difficult decisions over how to allocate limited funding. But, there is no current downside to adding your property to the queue in the interim, so neither party is locked into the transaction. If you're interested, honestly, get in there. You know, we're still taking them and there's no downside, as far as I'm concerned to keeping the process rolling forward, and getting on that list.

Sarah Lansdale: Augie, I just also want to ask if you could talk a little bit about one of the other things that we're trying to do is explore partnerships with other agencies to extend our dollars. So, you facilitated a very productive conversation, and I believe that maybe Rob Carpenter was on the phone as well, with New York State Ag and Markets regarding seeing how our program and their program could work together in the future to preserve farmland.

August Ruckdeschel: Sure. So, we are trying, we haven't partnered with the State in farmland protection efforts since, I want to say 2012, so I think about eight years. It predated me joining the County, though I do remember one of the very first things I did when I joined the County, was carry one of those acquisitions over the finish line. But, we haven't partnered with them because there's a lot of unfortunate inconsistencies between the State's farmland preservation program and ours. They use a conservation easement, we use a deed of development rights. They allow houses, we don't. They have different lot coverages limitations vs. ours. So, we had a conversation with Ag and Markets and it went well, I suppose. They were receptive and then we formally submitted a letter to Commissioner Ball asking if there were ways to make administrative changes to what's known as Farmland Protection Implementation Grants to see if we could kind of reconcile differences between the State and the County, because that's really been the stumbling block for us partnering in the last eight years or so; and we know we have a limited funding environment. So, we're hoping that Ag and Markets will, you know, reach back out and extend the olive branch and maybe we can partner on something in the future. That would be nice.

Sarah Lansdale: Right. Legislator?

Leg. Al Krupski: Thank you Augie for clearing that up because the State does have different rules when it comes to preserving farmland, so they do make a difficult partner. Instead of just providing money for acquisitions and letting the County do the acquisitions; and they also don't provide a lot of money state-wide for land preservation. You have to look the other way to the towns, and if you have a community preservation fund in your town then you should be funded; and I know some towns take in a great deal of money every year for land preservation and it's a welcome to the town tax. It doesn't cost the residents anything because when you move in you pay the tax when you buy your property. And that's something the west end towns need to consider if they're really interested in having an assisted funding source for land preservation, because then they can partner with the County. The County's made an excellent partner on open space purchases, but farmland, they could fund a lot of the purchases themselves. So that's ...

August Ruckdeschel: We would encourage...

Leg. Al Krupski: Yeah, go ahead.

August Ruckdeschel: I'm saying we would encourage the west end towns to follow that Huntington model. They're three for their last three. They've partnered financial contributions either delivered or promised on all of their last three acquisitions or pipelined acquisitions.

Leg. Al Krupski: And from the legislative standpoint, if you have a partner, a local partner with either money and/or management, it's a lot more compelling especially when we have limited funds to say let's preserve this piece of farmland, we've got a partner. So, it is a big help with a local partner like that. You're right.

Larry Foglia: In Huntington, the money came from a bond, so there's not a steady stream of incoming

money for Huntington.

Leg. Al Krupski: No, no the west end towns, you know, they need a program, you know, they need a program to really promote land preservation.

Eugene Murphy: I just have a question Augie about the 15 to 1 ratio of open space acquisitions versus farmland approvals. Is that or is it going back over history the farm industry.

August Ruckdeschel: No, no, no that was very, Gene that was very anomalous and I mean that's just the rundown of what we purchased. And honestly, so many of the 15 open space were like .23 acres here, .17 acres there, very small parcels like in the Mastic-Shirley area, where we're trying to acquire parcels at risk for flooding, .07 acres, so honestly don't read too much into that.

Eugene Murphy: That's encouraging.

Leg. Al Krupski: But the money, that \$11,000,000 got chewed up on those little parcels though.

August Ruckdeschel: Yeah, it did. BB & GG is a big one.

Sarah Lansdale: Yeah, we have a breakdown of farmland vs. open space over the years that we can send to you.

Eugene Murphy: That would be great.

Alfred Kilb: I would like to ask a question? This is Alfred Kilb. Somewhere recently, I heard that there was some new legislation at the State level in reference to accessory uses on farmland, which included farm stands, and it seemed to, I only heard part of the tail end of it, and it seemed to give some definition to a farm stand and to other items which would make them incidental to, you know, the use on a farm, so that the restrictions that are on them possibly through our program or through local town programs may not be in mesh with that new legislation, if that's the case. I don't know. Nobody's saying anything, so I assume maybe you didn't hear about it.

August Ruckdeschel: So, I hadn't heard about that Alfred, but that would be very welcome, because we actually, again, this is one of those circumstances where the County's program is more flexible than the State's, because we do allow farm stands. So, it would be, I would welcome that change at the state level. I do wonder if you were referring to this. So just today I read this. I'll pull it up. So I know Assemblyman Thiele and Senator LaValle passed an Amendment to the CPF law that was 80% focused on allowing the funds to be used for maritime purchases, but at the bottom here you can see "Farm Stands Can Stay", so it was further amended to include clarification that farm stands and farmers markets constitute agricultural use and are permissible accessory uses on protected ag land and I think that's in the CPF Program, I don't believe that's state-wide.

Alfred Kilb: Okay, that's what I heard. It was something to do with that, and I was wondering if that helps relieve some of the pressure that came from the Pine Barrens suit against the use of structures on ag

land.

August Ruckdeschel: Well, we did finally win that in the long run. It took many years, but we finally resolved that.

Alfred Kilb: I thought this was maybe something that kind of back that up.

August Ruckdeschel: I think it does.

Alfred Kilb: Yeah, okay. I...

Rob Carpenter: Augie, this is Rob. I have one comment on some of this. The change to Ag and Markets Law most likely, if it happened, I guess it was probably a proposed piece of legislation rather than a law enacted and they would have to look into it. However, in recent years, I noticed the County has removed Ag and Markets Section 301 from the deeds and easements and I would ask technically if that would still apply being that there is very little or no reference to 301 in the deeds?

August Ruckdeschel: Um, I believe we still reference that. Maybe I'm wrong. Jenny, do you... Jenny are you still with us?

Rob Carpenter: Augie, I would recommend maybe you take a look at one of the most recent deeds and easements and see what you think.

August Ruckdeschel: Yeah, I'm trying to pull it up, cause we have a sample, we have a sample on our own page. I'm just trying to figure out where the heck I have it. Oh, I know, I'm on the wrong page. Yeah, I could find that. I'm not sure if anyone else has any comments while I'm looking for that.

Rob Carpenter: I would suggest this is probably a topic for another day, because this goes into what's in the deed and easements and that's gonna be a long discussion I believe.

Sarah Lansdale: Okay, sounds good. We will do that. Rob, did you want to talk at all about the farm, the agricultural forum coming up?

Rob Carpenter: Sure. Just for anybody that's interested, the Ag Forum I believe is going to be, and I don't have the date right in front of me but, I believe it's going to be the 5th, 6th and 7th and it's going to be a virtual one this year, and there's going to be three days of Zoom meetings. And the Committee has made very conscious decision to keep the session limited to two hours per session, so that people don't get Zoom fatigue. My understanding is Extension is currently in production of the program and it's gonna be mailed out very shortly, probably right around Thanksgiving.

Sarah Lansdale: Sounds good, and I just wanted to, before we adjourn, let everyone know and thank Rob, and Leg. Krupski and Augie for their efforts in working with us in the County to update the Suffolk County Aquaculture Lease Program, which is part of farming; and we are set to introduce amendments to our program, our Aquaculture Lease Program later this year. Hopefully, those will be introduced in

December and then we look forward to a healthy discussion and public hearing and consideration for the first part of next year. So thank everyone for participating in that development and review of the first ten years of our Aquaculture Lease Program. And if anyone wants more details on that, I'd be happy to share them. Any questions or closing thoughts? Was this helpful to look at these three properties in depth?

Eugene Murphy: Yes.

Sarah Lansdale: Any suggestions for staff?

Leg. Al Krupski: You did a great job.

Eugene Murphy: No, it's critical for the credibility of the program.

Leg. Al Krupski: Cancel the pandemic and put them back to work please.

August Ruckdeschel: (Laughing) I will sign off on that.

Sarah Lansdale: Listen, I've got to give kudos to Augie. He's been doing an incredible job juggling both contract tracing and keeping things moving forward, so thank you.

August Ruckdeschel: And Andrew and Lauren doing the same.

Sarah Lansdale: Well thank you everyone. I will adjourn the meeting. Have a good evening.

August Ruckdeschel: Have a good night.

Meeting adjourned at approximately 7:33 p.m.